



MEMORANDUM

TO: Vermont Special Education Administrators, Essential Early Education Coordinators, and Children's Integrated Services Early Intervention (CIS/EI) Supervisors and Practitioners

FROM: Terri Edgerton, VT AHS State Part C Administrator *TE*
Alice Farrell, VT AOE State Part B Director *aof*
Kate Rogers, VT AOE Part B 619 Coordinator *KBR*

SUBJECT: Special Education Rules:
2360.5.7 Regional CIS/EI Notification to LEA of Children Potentially Eligible for
EEE at Age 3
2360.5.10 Eligibility for EEE Services at Age Three

DATE: October 22, 2013

The purpose of this letter is to provide additional guidance from the Agency of Education (AOE) and the Agency of Human Services (AHS), Department for Children and Families (DCF) regarding children who will be exiting Children's Integrated Services/Early Intervention services (CIS/EI) at age three and who may be Potentially Eligible for Part B Early Childhood Special Education services. Implementation of this section of the rules will begin on November 15th, 2013.

Criteria for determining Potentially Eligible:

Between six months to 90 days before a child's third birthday, the CIS/EI IFSP/One Plan Team will determine that the child has:

- 1a. At least a 25% delay in one or more developmental domains as measured by ongoing assessment and use of a state approved tool*, **or**
- 1b. A medical condition diagnosed by a licensed physician that may result in significant delays by the child's sixth birthday, **and**

* Determining Potentially Eligible Charts for Approved Part C Assessment Tools Supporting Document

**Timeline for Implementation of Potentially Eligible

2. Received consistent specialized instruction, developmental therapy services or speech and language services through an IFSP/One Plan.

Timeline for Implementation**

As of November 15, 2013:

1. CIS/EI will provide written notification (between six months and 90 days before the child's third birthday) to the LEA and the Part C State Office for children who turn three **on or after May 15, 2014** and who have been determined Potentially Eligible for Part B services.
2. Late Referrals (CIS/EI receives referral between 90 days to 45 days before child's third birthday):
 - a) For children referred prior to February 15, 2014, Potentially Eligible criteria **are not** in effect
 - b) For children referred on or after February 15, 2014, Potentially Eligible criteria **are in** effect
3. Late Referrals (CIS/EI receives referral fewer than 45 days before child's third birthday):
 - a) For children referred prior to February 15, 2014, Potentially Eligible criteria **are not** in effect
 - b) For children referred on or after February 15, 2014, Part C is not obligated to conduct an initial evaluation and given parental consent and, given parental consent, Part C refers the child to the LEA.

The AHS/AOE joint Committee on Guidance will provide further information, resources and guidance related to implementation of these rules.

Enclosures: (2)

* Determining Potentially Eligible Charts for Approved Part C Assessment Tools Supporting Document

**Timeline for Implementation of Potentially Eligible